

United States District Court

for the
Western District of New York

United States of America

v.

Case No. 23-mj-1108

Arthur S. Jordan

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about May 16, 2023, in the Western District of New York, the defendant ARTHUR JORDAN, knowing that he had previously been convicted on or about May 3, 2018, in County Court, Erie County, New York, of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate commerce, a firearm, namely, one (1) Beretta Model 92FS 9mm handgun, serial number BER327140Z, and ammunition, that is, sixteen (16) 9mm caliber rounds of ammunition; all in violation of Title 18, United States Code, Section 922(g)(1) and 924(a)(2).

This Criminal Complaint is based on these facts:

Continued on the attached sheet.

 Digitally signed by HUSEN ALI
Date: 2023.08.15 11:16:49 -04'00'

Complainant's signature

HUSEN ALI
Special Agent
Federal Bureau of Investigation

Printed name and title



Judge's signature

HONORABLE JEREMIAH J. MCCARTHY
UNITED STATES MAGISTRATE JUDGE
Printed name and title

City and State: Buffalo, New York

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

I. INTRODUCTION

I, **Husen Ali**, Special Agent of the Federal Bureau of Investigation, United States Department of Justice, having been duly sworn, states as follows:

1. I am a Special Agent of the Federal Bureau of Investigation (“FBI”) of the United States Department of Justice. As such, I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516.

2. I have served as an FBI Special Agent since January of 2021. During that time, I have participated in investigations involving drug trafficking, gun possession, and organized crime matters. In addition, I have had the opportunity to work with several other FBI agents and other law enforcement agents and officers of varying experience levels, who have also investigated firearms possession and drug trafficking networks, with regard to the manner in which controlled substances are obtained, diluted, packaged, distributed, sold and used within the framework of drug trafficking in the Western District of New York. As a result of my experience, I am familiar with how controlled substances are obtained, diluted, packaged,

distributed, sold, and used in the framework of drug trafficking in the Western District of New York and how drug traffickers utilize wire communications to facilitate their illegal activities. My investigative experience detailed herein, and the experiences of other law enforcement agents, who are participating in this investigation, serve as the basis for the opinions and conclusions set forth herein.

3. Your Affiant states that this investigation was conducted by Special Agents of the FBI and other law enforcement personnel assigned to the FBI Buffalo Division – Safe Streets Task Force (FBI-SSTF).¹ Your Affiant is fully familiar with the facts and circumstances of this investigation, such familiarity having been gained through: your Affiant's personal knowledge based upon your Affiant's participation in this investigation; statements by and/or reports provided to your Affiant by law enforcement personnel of the FBI-SSTF, Buffalo Police Department (BPD), information provided by confidential sources; consensual recordings, controlled evidence purchases of illegal drugs, controlled evidence purchases of firearms, physical surveillances, records checks of various public and law enforcement data bases, and other investigative techniques.

4. This affidavit is made in support of a criminal complaint charging **ARTHUR S. JORDAN** with a violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2) (felon in possession of a firearm).

¹ The SSTF is comprised of Agents and Investigators from the Immigration and Customs Enforcement, Erie County Sheriff's Office, Lackawanna Police Department, Niagara Frontier Transportation Authority Police Department, and the Buffalo Police Department.

5. The information contained in this affidavit is based upon reports and information received from other law enforcement officers and agencies. This affidavit is provided for the limited purposes of establishing probable cause to support the attached application for a Criminal Complaint, and therefore does not contain each and every detail of the investigation.

II. PROBABLE CAUSE

6. On May 16, 2023, at approximately 9:17 p.m., while on routine patrol, Buffalo Police Department (BPD) officers conducted a traffic stop of a tan GMC Terrain bearing New York registration KTV2024 in the vicinity of Leroy Avenue and Marigold Avenue, Buffalo, New York. After approaching the vehicle, officers encountered four males in the GMC Terrain, including the rear driver side passenger **ARTHUR S. JORDAN**. Despite it being mid-May, **JORDAN** was wearing a garment on his head that appeared to be a ski hood. As officers attempted to identify the occupants, they learned that the driver did not have a valid driver's license. Furthermore, officers observed an open alcohol bottle. The occupants were asked by the officers, one at a time, to exit the vehicle. When **JORDAN** was asked to exit, he refused.

7. After finally exiting the vehicle, officers attempted to pat down **JORDAN**. During the pat down of **JORDAN**, an officer felt a firearm in **JORDAN**'s front jacket pocket. **JORDAN** told officers it was his cellphone, which was not true. Officers recovered a Beretta Model 92FS 9mm handgun, serial number BER327140Z, with fifteen rounds of ammunition in the magazine and one round of ammunition in the chamber from **JORDAN**'s pocket.

8. Officers later recovered Seventeen (17) plastic corner baggies containing crack cocaine. Subsequent analysis by the CPS laboratory confirmed the narcotics were crack cocaine.

9. A review of **JORDAN**'s criminal history indicates that on May 3, 2018, **JORDAN** was convicted of Criminal Possession of a Weapon in the 2nd Degree (Loaded Firearm), a felony in the state of New York. **JORDAN** was sentenced to a term of 30 months Post Release Supervision time. Of special note, on May 18, 2018, Arthur pled guilty to violating 18 U.S.C. § 875(c) (Interstate Threats). On August 9, 2018, the Court sentenced Arthur to two months of imprisonment to run concurrently with the New York State sentence.

10. According to Special Agent William Farnham of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the firearm and the 16 rounds of ammunition were not manufactured in New York State and would have traveled in and affected interstate commerce prior to it being possessed by **JORDAN**.

13. **WHEREFORE**, based upon the foregoing, I respectfully submit that there is probable cause to believe that **ARTHUR JORDAN** did knowingly, willfully, and unlawfully violate Title 18, United States Code, Section 922(g)(1) and 924(a)(2) (felon in possession of a firearm).

 Digitally signed by
HUSEN ALI
Date: 2023.08.15
11:17:52 -04'00'

HUSEN ALI
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed telephonically

this 15th day of August 2023.



HONORABLE JEREMIAH J. MCCARTHY
UNITED STATES MAGISTRATE JUDGE